

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donovan

Serial No. : 09/489,667

Filed : 01/19/00

For : CLOSTRIDIAL TOXIN  
DERIVATIVES AND  
METHODS FOR  
TREATING PAIN

Examiner: Kam, Chih-Min

Group Art Unit: 1653

Official  
1/18/02 CMKCommissioner for Patents  
Box AF  
Washington, D.C. 20231**SECOND RESPONSE TO JULY 11, 2001 FINAL OFFICE ACTION**

Dear Sir:

This is in response to the July 11, 2001 Final Office Action and the December 12, 2001 Advisory Action issued by the United States Patent and Trademark Office regarding the above-identified application. The six month statutory period for responding to the Final Office Action expires January 11, 2002. A Notice of Appeal was filed on January 9, 2002, i.e., before the expiration of the six-month statutory period. A copy of the Notice of Appeal that was filed on January 9, 2002 is enclosed for convenient reference. An Appeal Brief without an extension of time is due on, or about, March 9, 2002. Accordingly, this Response is being timely filed before the deadline for an Appeal Brief.

Please amend the subject application as follows:

**In the Sequence Listing:**

Please replace the Sequence Listing with the Sequence Listing enclosed herewith.